

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0220 (PART)  
Tract 129-Bouldin Creek  
Vertical Mixed Use Building (V) Rezoning

**P.C. DATE:** December 11, 2007

**AREA:** Tract 129 is 3.0 acres

**APPLICANT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Melissa Laursen

### **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
Austin Neighborhoods Council  
Barton Springs/Edwards Aquifer Conservation District  
Bouldin Creek Neighborhood Association  
Bouldin Creek Neighborhood Planning Team (Staff Liaison)  
Bouldin Forward Thinking  
CIM  
Dawson Neighborhood Association  
Dawson Neighborhood Planning Team  
Dawson Neighborhood Planning Team (Staff Liaison)  
Downtown Austin Alliance  
Galindo Elementary Neighborhood Association  
Home Builders Association of Greater Austin  
Homeless Neighborhood Organization  
Meadowbrook Neighborhood Association  
Save Town Lake Organization  
Sentral Plus East Austin Koalition (SPEAK)  
SoCo-South First St.  
South Bank Alliance  
South Central Coalition  
South Congress South First  
South Lamar Combined Planning Area (Staff Liaison)  
South River City Citizens Association  
Terrell Lane Interceptor Association  
Zilker Neighborhood Association

**AREA OF PROPOSED ZONING CHANGES:** The Bouldin Creek Neighborhood Planning Area is bounded by South Congress Avenue to the east, Ben White Boulevard to the south, the Union Pacific Railroad tracks to the west, and Lady Bird Lake (formally Town Lake) on the north. Tract 129 is within the Bouldin Creek NPA. Specifically, Tract 129 is locally known as 507 S. 1<sup>st</sup> Street and a portion of 507 Barton Springs Road. Please refer to

Attachments.

**WATERSHEDS:** West Bouldin Creek– Urban; East Bouldin Creek- Urban;  
Town Lake- Urban

**DESIRED DEVELOPMENT ZONE:** Yes

**SCHOOLS:** Becker Elementary School; Texas School for the Deaf

**APPLICABLE CORE TRANSIT CORRIDORS:** West Riverside Drive; South 1<sup>st</sup> Street;  
South Congress Avenue; Barton Springs Road

**STAFF COMMENTS:**

Tract 129 was postponed at the November 13, 2007 Planning Commission Hearing and the January 10, 2008 City Council Hearing to allow for the plan amendment to occur concurrently with the rezoning. Subsequent to the Planning Commission Hearing, staff reviewed the most recent tax map and discovered the portion of Tract 129 originally thought to need a plan amendment was actually city property (a portion of One Texas Center) and shown as Civic on the Future Land Use Map. The vertical mixed use building zoning is permitted on a Civic land use category and does not require a plan amendment.

The neighborhood is recommending that all vertical mixed use building incentives including dimensional standards, parking reduction and additional uses in office zoning be applied to Tract 129.

Neighborhood Housing and Community Development is supporting the neighborhood recommendation of 60% median family income (MFI) for 10% of rental units in a VMU development.

**LIST OF ATTACHMENTS:**

**Attachment 1:** Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

**Attachment 2:** Bouldin Creek VMU Neighborhood Recommendations

**Attachment 3:** Bouldin Creek VMU Tract Map

**Attachment 4:** Zoning Map

**Attachment 5:** Overview of Vertical Mixed Use (VMU) and the Opt-In/Opt-Out Process

**Attachment 6:** Affordability Impact Statement

**Attachment 7:** Planning Commission Comment Forms and Correspondence

**PLANNING COMMISSION RECOMMENDATION:**

**November 13, 2007:**

- *APPROVED MOTION 1 TO POSTPONE TRACT 129 UNTIL DECEMBER 11, 2007 TO ALLOW FOR THE PLAN AMENDMENT TO OCCUR CONCURRENTLY WITH THE REZONING*

- *APPROVE MOTION 2 TO APPLY ALL VMU RELATED STANDARDS TO THE FOLLOWING TRACTS 1-128, AND 131-150 (THERE IS NO TRACT 130)*
- *APPROVED AN AFFORDABILITY LEVEL OF 60% OF THE MEDIAN FAMILY INCOME (MFI) REQUIREMENT FOR VMU RENTAL DEVELOPMENTS*

**December 11, 2007:**

- *APPROVED TO APPLY ALL VMU RELATED STANDARDS TO TRACT 129 BY CONSENT*

**ISSUES:** None at this time.

**CITY COUNCIL DATE:** January 10, 2008

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Melissa Laursen  
E-mail: melissa.laursen@ci.austin.tx.us

**PHONE:** 974-7226

## **NEIGHBORHOOD RECOMMENDATION**

Representatives of the Bouldin Creek Neighborhood Planning Team (BCNPT) met on five occasions between March 21, 2007 and May 14, 2007 and submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on May 31, 2007. Please refer to Attachment A.

- The BCNPT recommended applying all VMU related standards to all eligible properties within the VMU Overlay District. This includes commercially zoned properties (excluding properties that are residentially used) and commercially zoned properties with the mixed use combining district.
- The recommendation from the BCNPT is consistent with the Bouldin Creek Neighborhood Plan which places mixed use developments on the major arterials (South 1<sup>st</sup> Street, South Congress Avenue, Barton Springs Road, and W. Riverside Drive) and protects the residential interior of the neighborhood.
- The recommended level of affordability for future VMU Rental Units is 60% of the median family income.

## **BACKGROUND**

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”.

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0220 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Bouldin Creek application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 5.

## **Impervious Cover**

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u> )

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

### **Transportation**

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

### **Water and Wastewater**

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

**Compatibility Standards**

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.

RECEIVED

MAY 31 2007

Neighborhood Planning & Zoning

## VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

**Detailed instructions for completing this application can be found by clicking on this link: [ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu\\_instructions.pdf](ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf). Please read these instructions prior to completing this application.** A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

[vmu@ci.austin.tx.us](mailto:vmu@ci.austin.tx.us)

or (512) 974-2150

**1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:**

**A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA\*:**

BOULDER CREEK

\*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

**B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.**

**NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:**

NAME

PHONE

E-MAIL

MAILING

RECEIVED

\_\_\_\_\_  
\_\_\_\_\_  
**SECONDARY**

**NAME** \_\_\_\_\_

**PHONE** \_\_\_\_\_

**E-MAIL** \_\_\_\_\_

\_\_\_\_\_  
**MAILING ADDRESS**

**2. PRINT AND REVIEW THE DETAILED MAPS FOR YOUR AREA**

Detailed maps for each application area can be found by going to the map located at the bottom of [www.ci.austin.tx.us/planning/verticalmixeduse.htm](http://www.ci.austin.tx.us/planning/verticalmixeduse.htm).

**3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.



**RECEIVED**

MAY 31 2007

Neighborhood Planning & Zoning

**VERTICAL MIXED USE OVERLAY DISTRICT FORM**

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE of	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
(MAP PAGE ONE) BACK LOT OF 801 BARTON SPRINGS ROAD	NOT PART OF 801,				
A MAPPING ERROR	HAS NO FRONTAGE ON B. S. R.				
(MAP PAGES 4+5) 1412 S. CONGRESS	BOTH ZONED				
2336 S. CONGRESS	HISTORIC "H"				

\* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

**RECEIVED**

MAY 31 2007

Neighborhood Planning & Zoning

4. IF YOUR AREA HAS PROPERTIES OUTSIDE OF THE VMU OVERLAY DISTRICT ON WHICH THE NEIGHBORHOOD WISHES TO PERMIT VMU COMPLETE THE ATTACHED VMU OPT-IN FORM.

NONE \*

See Instructions for VMU Opt-In/Opt-Out Process for more detail. Note: If your area does not wish to recommend VMU for properties outside of the VMU Overlay District no application is required.

A blank copy of the VMU Opt-In form is provided below. Please print additional copies as needed.

\* THIS IS NOT AN OPT-IN  
PROPERTY. IT IS CORRECTING  
AN ERROR ON THE CITY MAP.

# VERTICAL MIXED USE ~~OPT-IN~~ FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE of
	Opt-In for Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-In for Parking Reductions (commercial uses only)	Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)	The neighborhood recommends opt-in for all VMU related standards.
* 1006 S. FIRST				
should replace				
602 + 604				
ON THE CITY MAP				
602 + 604				
ARE AN ERROR				
1006 IS THE				
CORRECT PROPERTY				

(MAP  
PAGE  
ONE)

\* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

**5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.**

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

\_\_\_\_\_ 80% of median family income

\_\_\_\_\_ 70% of median family income

\* ☒ 60% of median family income

\_\_\_\_\_ Other level between 60-80% of median family income

VOICED ON AT THE 5/7/05 MEETING

FOR  
9

AGAINST  
1

ABSENT  
7

**6. PLEASE PROVIDE THE FOLLOWING INFORMATION:**

**A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.**

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes ☒ No ☒

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws.

\* DECISIONS AND VOTES WERE TAKEN OVER THE  
COURSE OF FIVE (5) NEIGHBORHOOD TEAM MEETINGS  
BETWEEN MARCH 21<sup>ST</sup> AND MAY 14<sup>TH</sup> 2007.  
KEY MOTIONS AND VOTES ARE HIGHLIGHTED IN THE ATTACHED MINUTES

B. Please provide the results of the votes \*

For \_\_\_\_\_ Against \_\_\_\_\_  
Neighborhood Planning and Zoning Department

6

February 20, 2007

THIS VARIES - SEE ATTACHED MINUTES

C. Number of people in attendance at the meeting 47 (FORTY SEVEN)

D. Please explain how notice of the meeting at which the vote was taken was provided:

MEETING INFORMATION WAS POSTED ON THE  
BCNPT E-LIST, AND ON THE LOCAL NEIGHBORHOOD  
ASSOCIATION'S E-LIST. INDIVIDUALS WERE ALSO  
CONTACTED BY BCNPT MEMBERS

E. Please attach a copy of the notice of the meeting at which the vote was taken. <sup>(S)</sup>

F. Please provide a copy of the meeting minutes at which the vote was taken. <sup>(S)</sup>

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: ☒  
Neighborhood Association By-Laws: ☐  
Other, as described in question A., above: ☐

  
SIGNATURE OF CHAIR (OR DESIGNEE)

DATE

05/23/07

**7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:**

Neighborhood Planning and Zoning Department  
Attn: George Adams  
P.O. Box 1088  
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center  
505 Barton Springs Road, 5<sup>th</sup> floor

**VERTICAL MIXED USE APPLICATION  
SUBMITTAL CHECKLIST**

- ☒ 1. Completed application with signature of chairperson.
- ☒ 2. Detailed maps showing locations of properties opted-in or opted-out.
- ☒ 3. Completed VMU Opt-Out Form, if applicable
- ☒ 4. Completed VMU Opt-In Form, if applicable.
- ☒ 5. Copy of the notice of the meeting at which the vote was taken.
- ☒ 6. Copy of the meeting minutes at which vote was taken.

## **The Bouldin Creek Neighborhood Planning Team (BCNPT) and the VMU Process**

5/25/07

### **Executive Summary**

#### **Background**

The Bouldin Creek Neighborhood Planning Team (BCNPT) met on five occasions between March 21, 2007 and May 14<sup>th</sup> 2007. (See attached minutes).

The meetings were hosted by local business owner Melissa Gonzales at the Morning Star Trading Company, 1919 S. First St., Austin, TX 78704.

A total of 47 people (representing business owners, residents, and tenants) participated in the meetings.

#### **The BCNPT made the following recommendations**

- 1) Consistent with the broad outlines of the Bouldin Creek Neighborhood Plan, which calls for development on the arterials and the protection of the neighborhood interior from denser development
  - a) the BCNPT accepted to the VMU Overlay for properties with frontage on the major arterials of S. Congress Ave., S. First St., and Barton Springs Road.
  - b) the BCNPT rejected opting in as VMU any MU property in the interior of the neighborhood or any other MU property that does not have a frontage on the arterials
- 2) The BCNPT called for the most vigorous level of affordability (60% of MFI) to be applied to all VMU developments on the arterials.
- 3) The BCNPT identified and corrected a few plot errors on the current maps provided by the City.

#### **Conclusion**

While due diligence was applied to the VMU Opt-in/Opt-out framework, the BCNPT found the whole process to be problematic and impractical, if not unworkable. Apart from the short 90-day window, the lack of City staff support (such as facilitation, public notification of meetings, and legal advice -- all

available in the Neighborhood Planning process) left contentious issues (such as parking concerns, individual property rights versus the Neighborhood plan) to be tackled by the voluntary facilitators and participants with limited time and only the broadest of informational guidelines.

While the face-to-face dialog between interested parties was civil and informative, the decisions that were made (see above and attached minutes) were, by the constraints mentioned earlier, quite limited.

Stuart Hampton.  
BCNPT Chair, on behalf of the BCNPT Executive Committee

***Personal comments by the Chair***

A flawed process, without question.

If the City was serious about whole neighborhood input in the process it would have done the following;

- 1) Set up and host a series of discussions with individual neighborhood planning teams (not just neighborhood reps) on VMU -- before the decision was taken to apply the VMU overlay to all arterials.
- 2) Publicly notify all affected persons (i.e. the whole neighborhood) of meetings about the VMU.
- 3) Be present as mediators and resource personnel.

The fact is, the decision to apply the VMU overlay had already been made by the City and the vehicle for changing that decision by the piecemeal de-selection of lots over a few weeks, with no City support (notification, mediation) gave credence to those who believe that the process was at best a fig leaf to cover the already decided upon Smart Growth/Densification initiative with a wash of "neighborhood" participation. At worst it was impractical, divisive, legally unsound, and counter to the spirit of the original NP process -- which took the time to create consensus about broadly applied (not piecemeal) and rational (constituent and equitable) zoning. (In Bouldin Creek's case -- MU overlay on all the arterials, SF zoning in the interior).





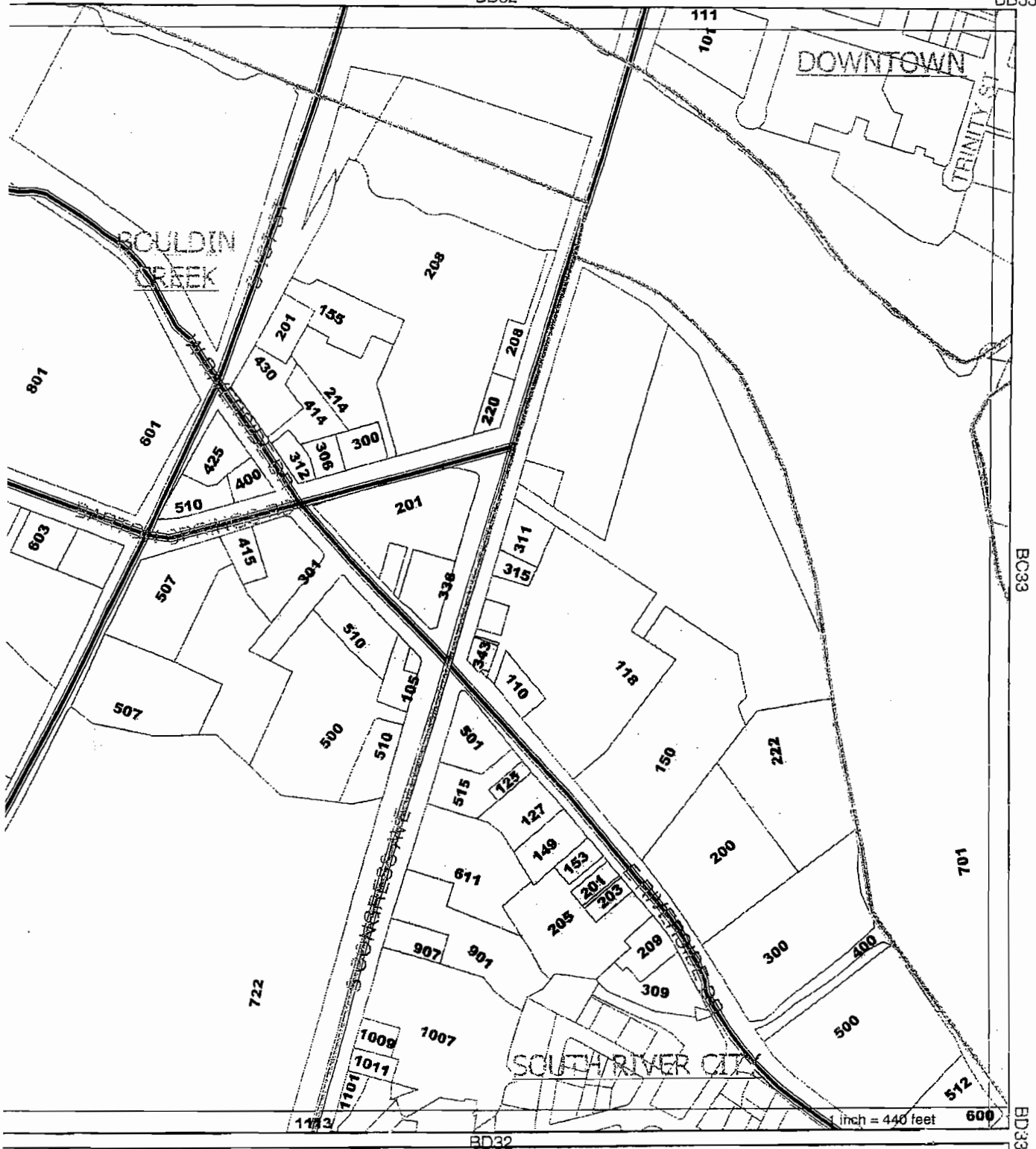
**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: BC31**



Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Gnds Black and White.mxd

**Legend**







- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels



**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: BC32**

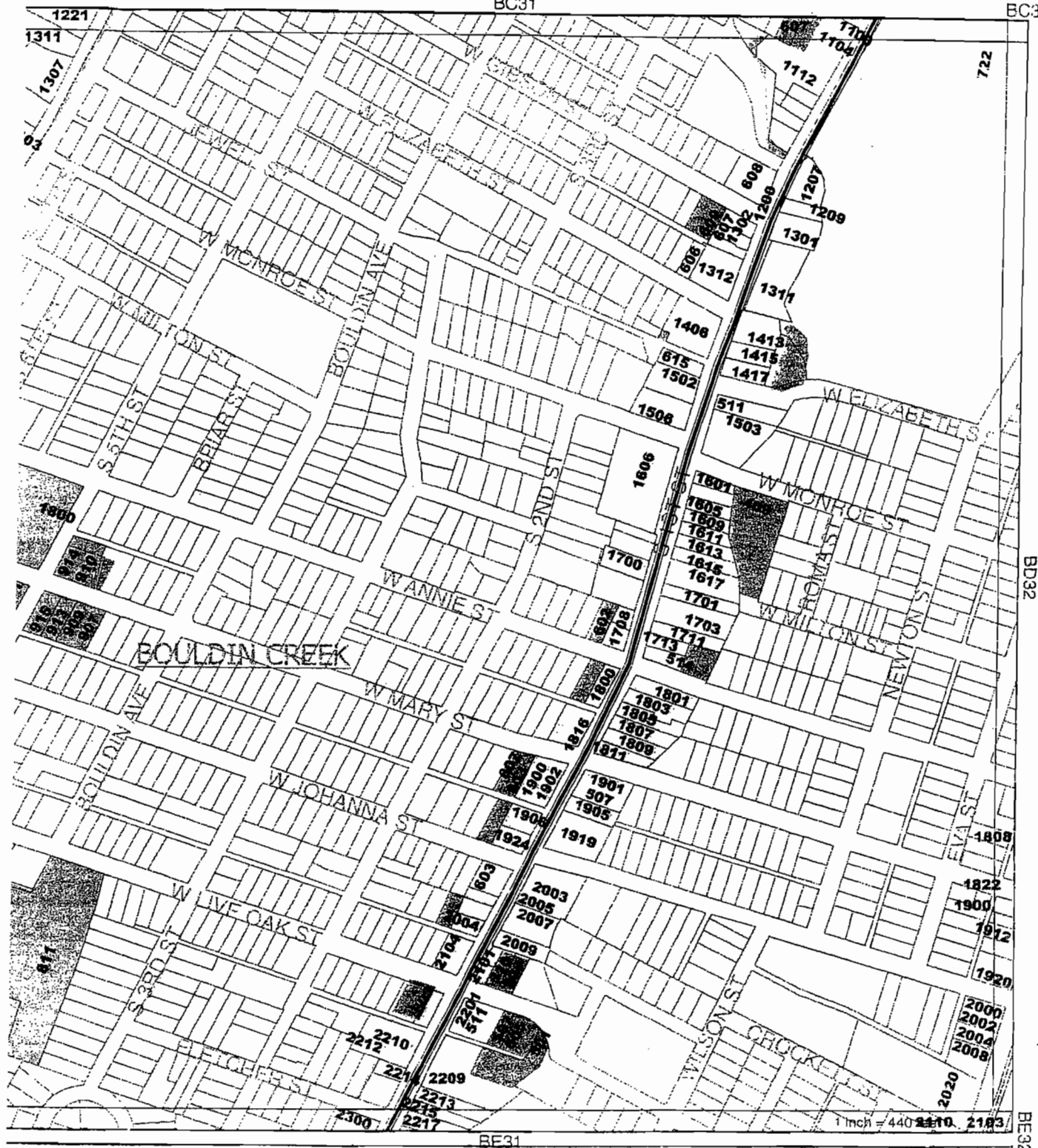
2

**Legend**

-  Planning Areas
-  Core Transit Corridor
-  Future Core Transit Corridor
-  Vertical Mixed Use Overlay District ("Opt-out")
-  Mixed Use Combining Districts ("Opt-in")
-  TCAD Parcels









Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Grids Black and White.mxd



**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: BD31**

3

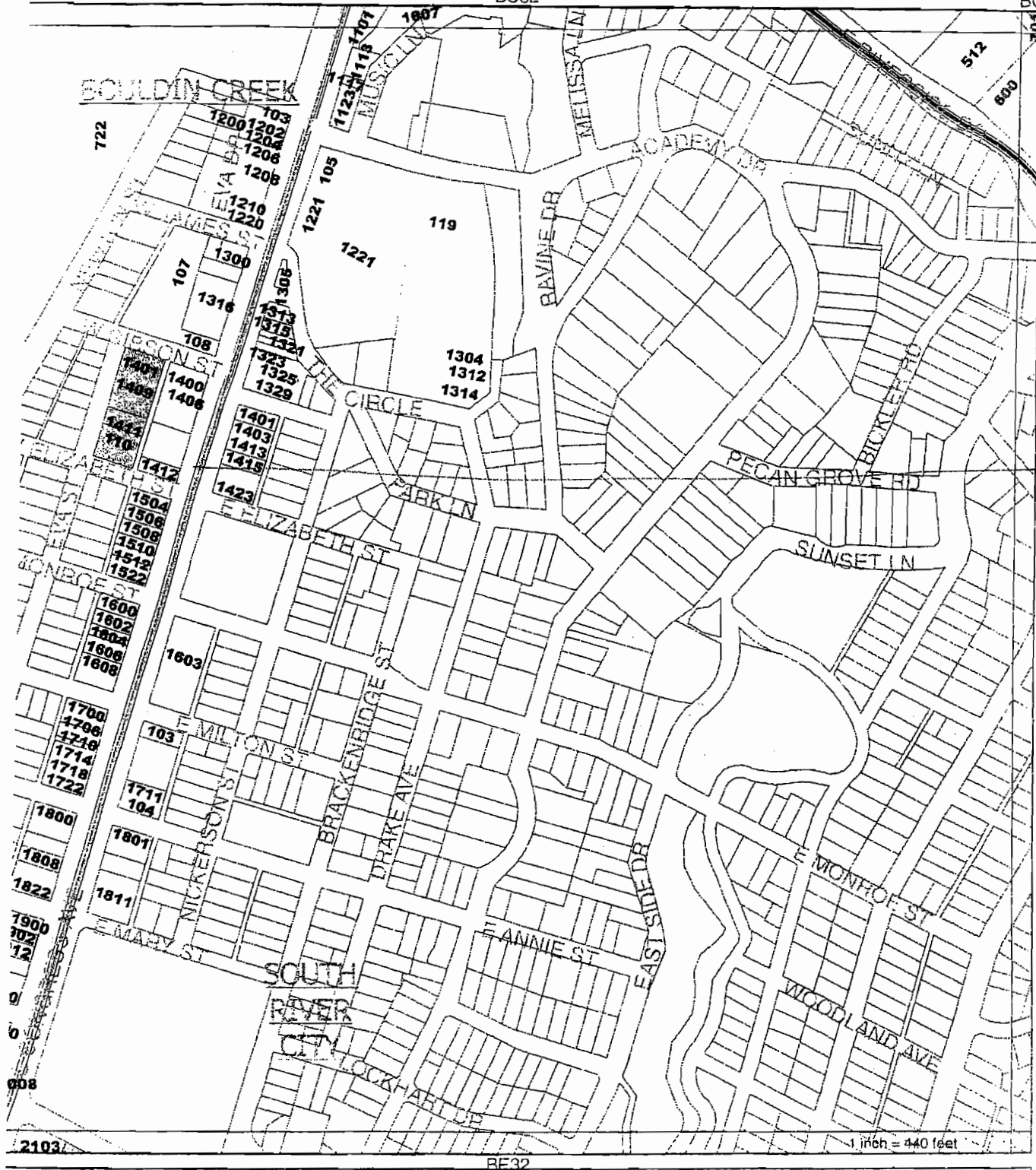
**Legend**

-  Planning Areas
-  Core Transit Corridor
-  Future Core Transit Corridor
-  Vertical Mixed Use Overlay District ("Opt-out")
-  Mixed Use Combining Districts ("Opt-in")
-  TCAD Parcels

Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Grids Black and White.mxd

BC32

BC33



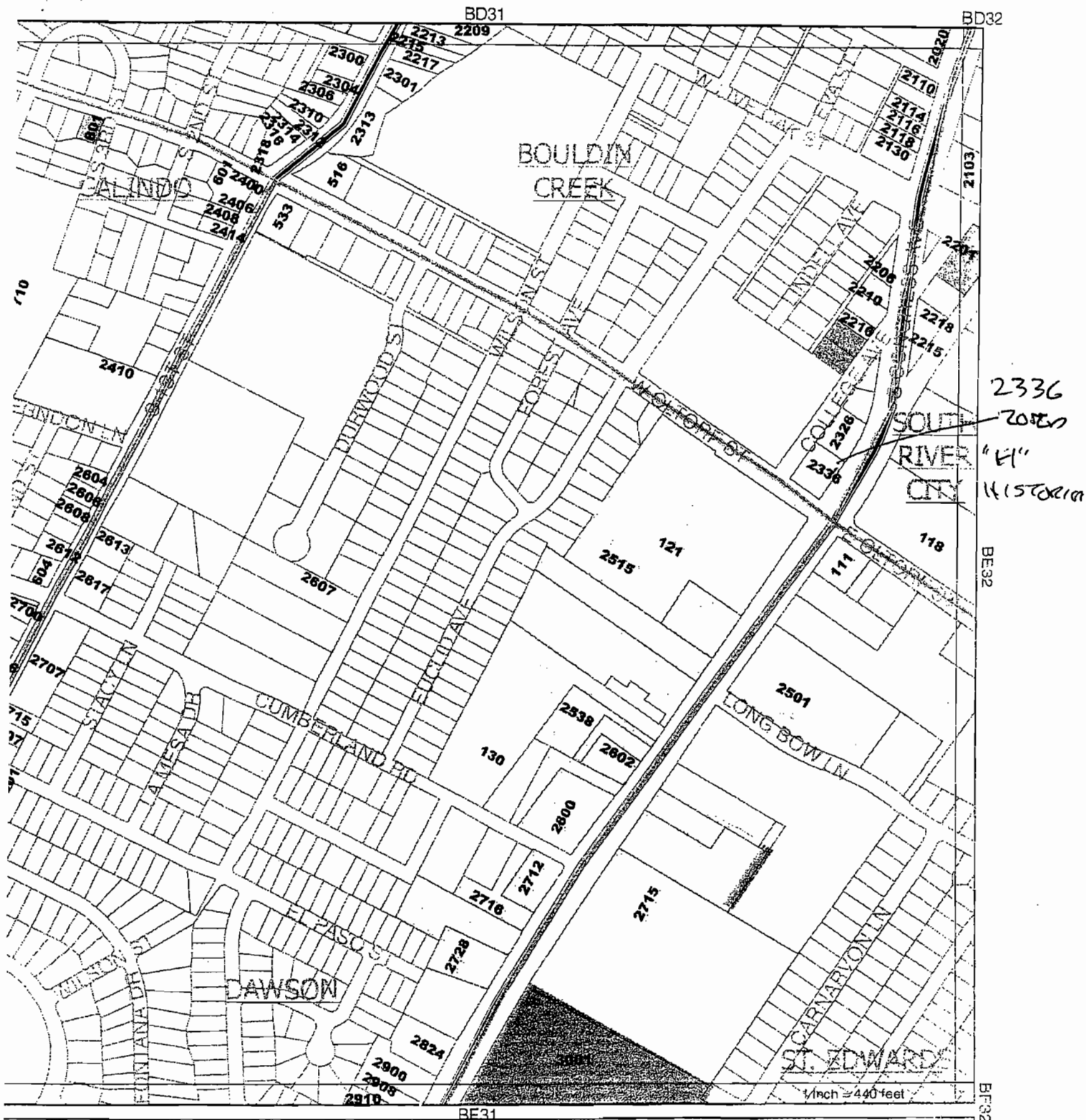
**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: BD32**

4

**Legend**

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Grids Black and White.mxd



**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: BE31**



Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Grids Black and White.mxd

**Legend**

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

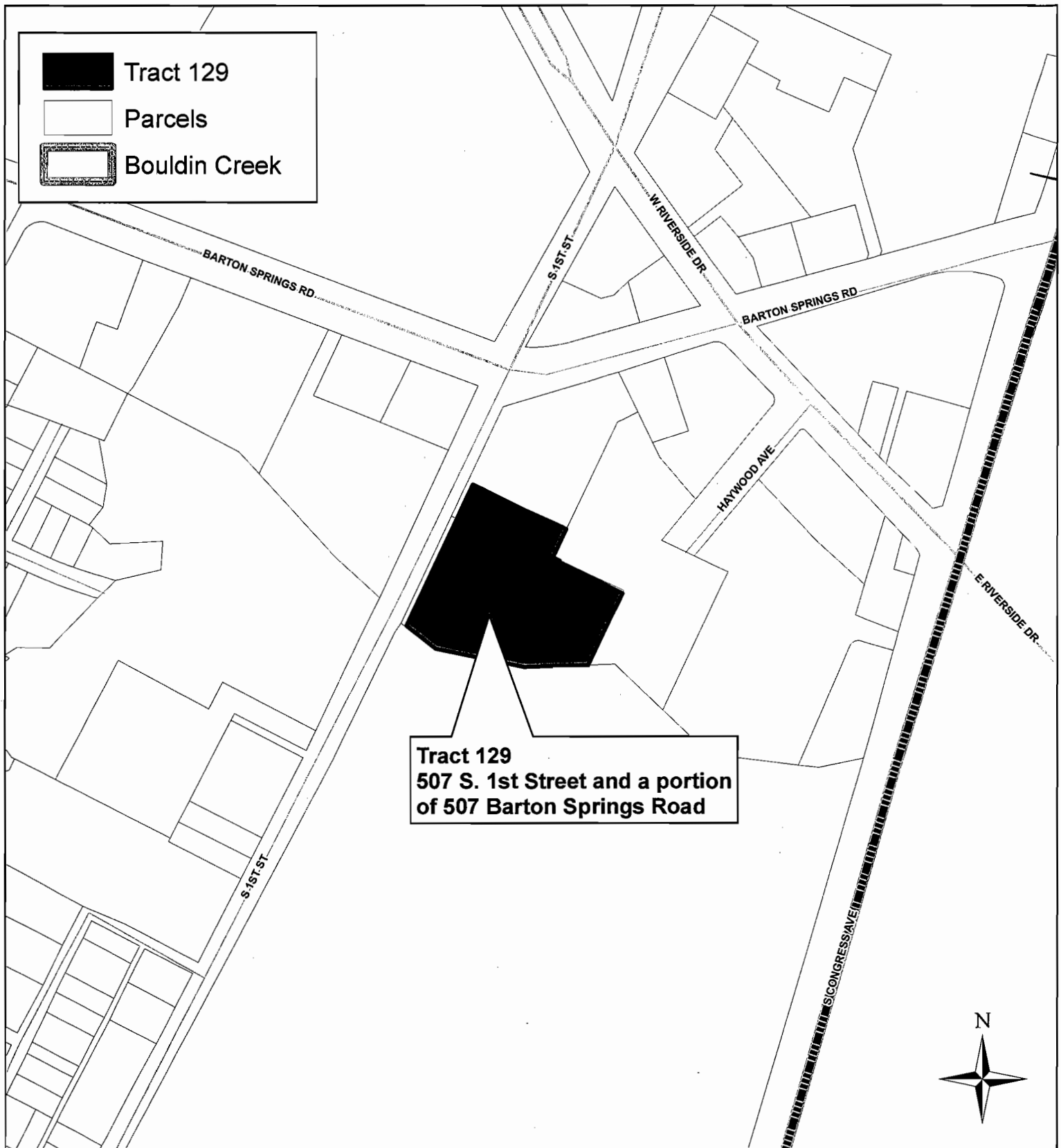
**Bouldin Creek VMU Neighborhood Recommendations**  
**C14-2007-0220**

**VMU Overlay District (Opt-Out)**

Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
100-129 131-150	X				

**RECOMMENDED AFFORDABILITY LEVEL FOR VMU ELIGIBLE PROPERTIES: 60%**

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.  
 (2) Please refer to attached information for explanations of Opt-Out options.



## ***Bouldin Creek Neighborhood Planning Area***

### ***Tract 129***

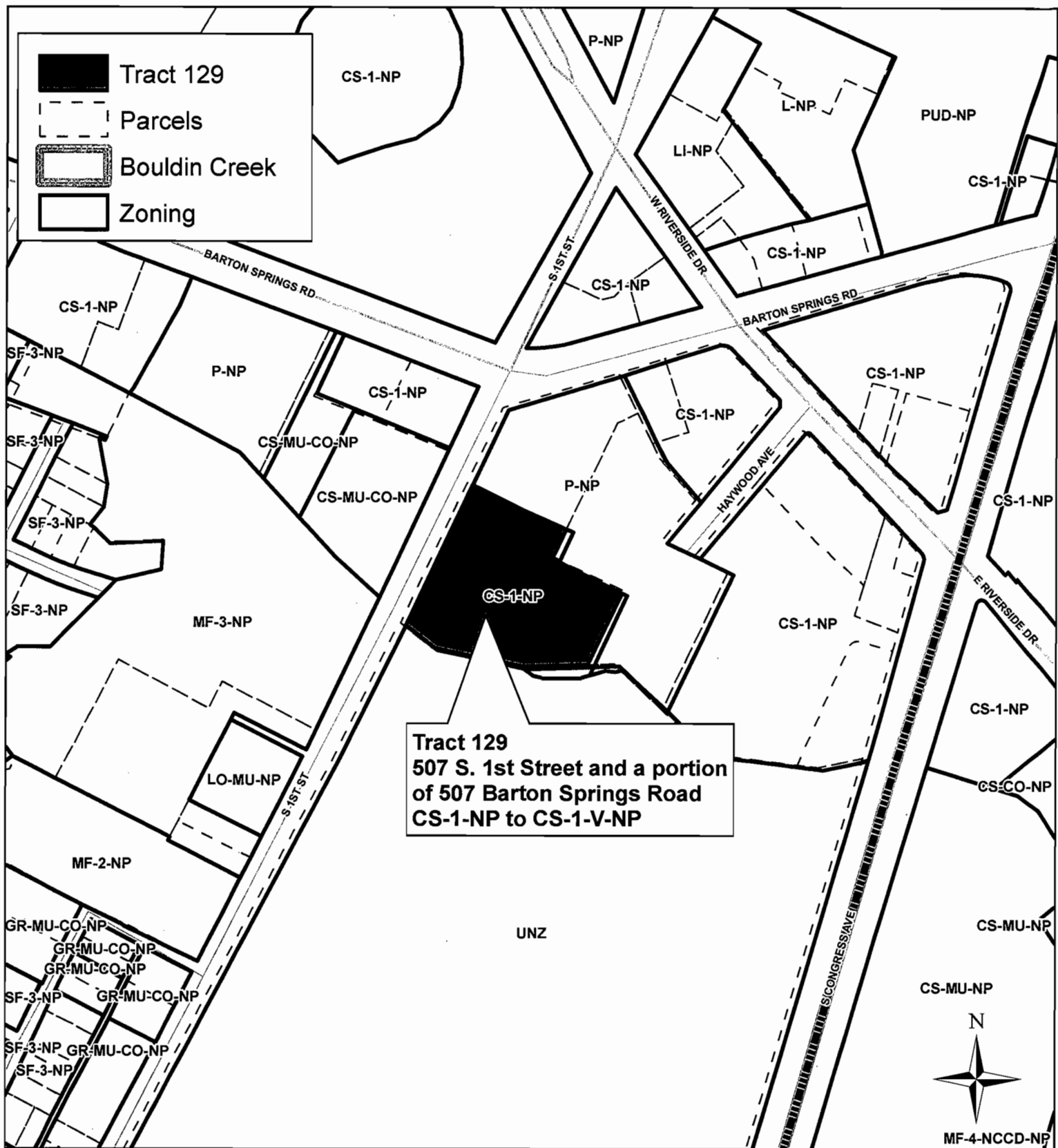
### ***Vertical Mixed Use Building (V) Rezoning***

### ***Case # C14-2007-0220 (PART)***



Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
December 7, 2007

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



**Bouldin Creek Neighborhood Planning Area**  
**Tract 129--Zoning Map**  
**Vertical Mixed Use Building (V) Rezoning**  
**Case # C14-2007-0220 (PART)**



Produced by City of Austin  
 Neighborhood Planning and Zoning Dept.  
 December 7, 2007

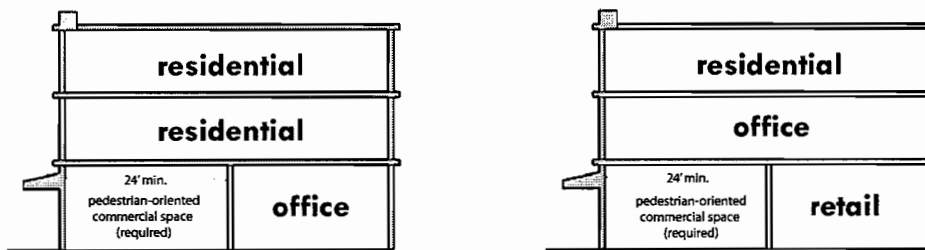
This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



# **OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS**

## **WHAT IS A VERTICAL MIXED USE BUILDING?**

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



## **WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?**

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

## **WHY VERTICAL MIXED USE BUILDINGS?**

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

## **WHAT ARE THE STANDARDS FOR A BUILDING?**

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

## WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

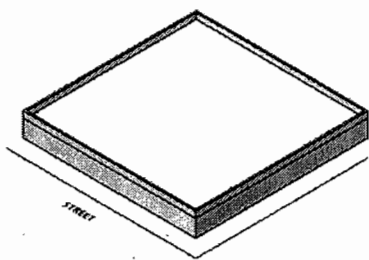
### Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

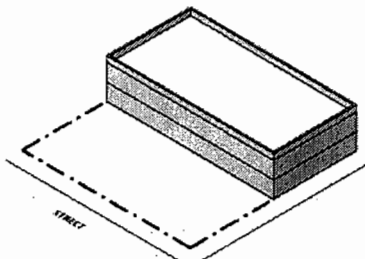
- Setbacks—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- Floor to Area Ratio—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

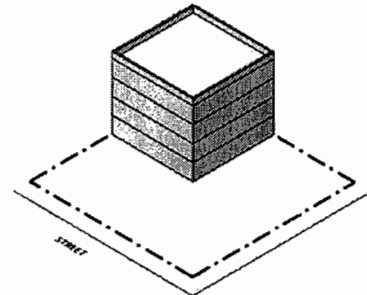
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 100% of lot**



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 50% of lot**



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 25% of lot**

- Building Coverage—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- Minimum Site Area—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

### Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

#### Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:  
[http://www.ci.austin.tx.us/zoning/downloads/np\\_guide.pdf](http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf).

#### **WHAT IS THE OPT-IN/OPT-OUT PROCESS?**

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

#### **WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?**

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and parking exemptions they are subject to certain affordability requirements.

**Owner-Occupied Units**—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

**Rental Units**—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

## **OTHER FREQUENTLY ASKED QUESTIONS:**

### **DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?**

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

### **HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?**

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

### **IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?**

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

### **HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?**

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Site plans approval requires a public hearing before the Planning Commission. All property owners and registered neighborhood organizations within 300 feet of a proposed vertical mixed use development will be notified of the public hearing via US Mail.

## **WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?**

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

## **HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?**

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

## **IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?**

The City's impervious cover limits and compatibility standards will still apply.

## **WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?**

[http://www.ci.austin.tx.us/planning/downloads/Subchapter\\_E\\_Design\\_Standards.pdf](http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf)

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>



# AFFORDABILITY IMPACT STATEMENT

## NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT

CITY COUNCIL AGENDA: NOV. 29 CASE NUMBER: C14-2007-0216, C14-2007-0220;  
C14-2007-0222

PROPOSED CODE AMENDMENT:	VERTICAL MIXED USE OPT-IN / OPT-OUT RECOMMENDATIONS
IMPACT ON REGULATORY BARRIERS TO HOUSING DEVELOPMENT	<input type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input checked="" type="checkbox"/> NO IMPACT
LAND USE / ZONING OPPORTUNITIES FOR AFFORDABLE HOUSING DEVELOPMENT	<input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input type="checkbox"/> NO IMPACT
IMPACT ON COST OF DEVELOPMENT	<input type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input checked="" type="checkbox"/> NO IMPACT
PROPOSED CHANGES IMPACTING HOUSING AFFORDABILITY:	NHCD SUPPORTS THE RECOMMENDATIONS OF NEIGHBORHOODS REQUESTING THAT A 60% MFI REQUIREMENT APPLY TO VERTICAL MIXED USE DEVELOPMENTS IN THEIR NEIGHBORHOOD.
OTHER RECOMMENDATIONS:	NHCD RECOMMENDS A SIX-MONTH AND TWELVE-MONTH EVALUATION PERIOD FOLLOWING ADOPTION OF OPT-IN / OPT-OUT RECOMMENDATIONS TO DETERMINE LEVELS OF PARTICIPATION AND AFFORDABLE HOUSING PRODUCTION.  THE MFI STANDARDS SHOULD ALSO BE REVIEWED IN LIGHT OF THE PENDING HOUSING MARKET STUDY CONDUCTED AS PART OF NHCD'S 5-YEAR CONSOLIDATED PLAN.
DATE PREPARED:	NOVEMBER 15, 2007

DIRECTOR'S SIGNATURE: \_\_\_\_\_  
PAUL HILGERS

CHRISTENSEN

10 November 2007

Neighborhood Planning and Zoning Department  
PO Box 1088  
c/o Melissa Laursen  
Austin, TX 78767-8835

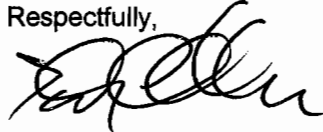
Re: File # C14-2007-0220  
Re-definitions of VMU Design Standards

Interested Parties:

Regarding development of properties along South First Street, and, relaxation of Dimensional Standards and Parking Requirements for Commercial Uses, I make the following comments.

- Given that we will eventually need to widen South First Street, It does not make sense to have no street-side setbacks requirements.
- Given that commercial properties along South First Street abut residential areas, it seems reasonable to hold commercial development to the same setback and height requirements of residential development along those boundaries.
- Given that, with increasing frequency, commercial parking overflow chokes neighborhood cross streets along South Congress and South First, we would serve those neighborhoods best by requiring commercial establishments to provide adequate parking for their customers, and would serve adjacent neighborhoods poorly by relaxing minimum off-street parking requirements.

Respectfully,



John Christensen  
614 West Monroe Street  
Austin, TX 78704

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) JOHN CHRISTENSEN

Address 614 W. MONROE, 78704

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

SEE ATTACHED  
COMMENTS

INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU.

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) JAGMAR + TERENCE GRIEDER I am in favor

Address 502 W. LIVE OAK, AUSTIN, TX 78704 I object

1 OBJECT TO THE RELAXED BUILDING STANDARDS (No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:



**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

ALVARO BASTIDAS

Address

1708 PRIAR ST.



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

Cynthia Hyser

Address

603 S. 8th St, Austin, 78704



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

Objection re: not enough affordable housing units for ownership

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

Dan Schulman

Address

603 W LIVE OAK



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

VMU promotes too much density for this neighborhood. Keep it DT.

**From:** [REDACTED]  
**Sent:** Tuesday, November 13, 2007 11:17 AM  
**To:** melissa.laurensen@ci.austin.tx.us; Holubeck, Andrew  
**Subject:** File C14-2007-0220 and File C14-2007-0224

Hello-

I am writing you in regards to the following cases/ zoning changes File C14-2007-0220 and File C14-2007-0224. I live at 1709 Eva Street and my property is effected by these changes. I am not in favor of these changes. I did not send in the Planning Commission form. Does this email count as a vote or do I need to show up to the meeting tonight?

Thanks,

Kathleen Flannery  
Tailor and Sell  
Delivery Integration/Portfolio Team  
GeBM PMO Website  
512-728-1847

**Laursen, Melissa**

---

**From:** Jenny Huth [REDACTED]  
**Sent:** Tuesday, November 13, 2007 1:48 PM  
**To:** Laursen, Melissa; melissa.lauresen@ci.austin.tx.us  
**Subject:** VMU hearing tonight

Hello Melissa,

My name is Jennifer Huth, and I called you last week re: the Bouldin Creek VMU zoning application (file #: C14-2007-0220). I was planning on attending the hearing tonight, but I am unfortunately unable to attend.

You said that I could email you with any concerns if I wasn't able to attend, so I will pass this on:

I would like to go on record as saying that I am opposed to the VMU zoning for Tract #101 in the Bouldin Creek zone as I believe it has the potential to create a substantial negative impact on the homes which border this tract. I live at 1000 Daniel Dr. and my property abutts Tract #101 in the Bouldin Creek VMU zone. Tract 101 is a relatively narrow slice of property that already comes very close to our property (we overlook the roof of Vinnie's Italian Cafe). Under the VMU zoning, it appears that a larger building could possibly be built on this property, negatively impacting our property, which we purchased before VMU zoning was even being discussed. The revised setbacks would allow for a buliding that I fear will loom over our back yard and decrease the value of our home significantly.

Thanks for taking the time to answer my questions the other day, and thanks for bringing this concern into account during the hearing tonight.

Jennifer Huth

11/13/2007

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

Agenda Item [REDACTED]

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) Robert Bauer

Address 1003 Daniel Dr. Austin, TX 78704

☐ I am in favor  
(Estoy de acuerdo)

☒ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

## PLANNING COMMISSION HEARING

**DATE:** November 13, 2007 **TIME:** 6:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

Agenda Item [REDACTED]

## CITY COUNCIL HEARING

**DATE:** November 29, 2007 **TIME:** 4:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). **Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054.** Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

---

### PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

**File # C14-2007-0220**

**Planning Commission Hearing Date: November 13, 2007**

Name (please print) Martha Bauer

☐ I am in favor  
(Estoy de acuerdo)

Address 1003 Daniel Dr. Austin, TX 78704

☒ I object  
(No estoy de acuerdo)

---

### INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

Agenda Item

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

### PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

Alex Guerra

Address

610 Bouldin Ave.  
Austin, Tx 78704

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)

### INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) YOLANDA PEREZ

☐ I am in favor

Address 203 W Elizabeth St.  
78704

☐ (Estoy de acuerdo)

☒ I object Strongly  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

I strongly object to implementation of VMU land use due to the following:

It will lead to already crowded conditions.

No room for homeowners to park near their homes.

Too many strangers in the neighborhood and they do not hide their total disregard for the privacy of the homeowners.

It is Easy for criminals to "hide" in the crowd.

There are narrow roads and the School for the Deaf is nearby.

Cars cannot see to pull out into the road from driveways.

Debris from activities held on So. Congress

such as South by Southwest, First Thursdays, and weekends.

Found vomit, clothing, and needles on the other side of the yard which presents a health issue for people that live in the area and are forced to dispense of these items.

It is not a good environment for children to grow up in. There is no playground and they could not play outside because there are too many people around. It would not be safe and the children could be exposed to people who are drunk, and may not be in control of their behaviour. "Leslie" was caught relieving himself between 2 parked cars by the side of our house in the middle of the day. It was disgusting and I can only imagine what a child may think of that.

When I mention SOCO, people go "Oh, there!. It is known for a place to Go to have a good time, but not to live there because of what does go on there. For this reason, people will not stay there long and there will be a constant Turnover. These living conditions will be aimed for a particular group of the Population.

5% of the units will be for affordable housing – come on!!!

*Plunder Parry*  
11-12-7



## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

Beverly Belrose



I am in favor

(Estoy de acuerdo)

Address

1704 Eva St Austin TX 78704



I object

(No estoy de acuerdo)

Parking is to bad now. I'm disabled and thurs, Fri's + Sat's  
Sometimes I have to park elsewhere down street + walk to my  
own home. Because no parking.  
I'm ill + my daughter is ill so cant attend the meetings.

## INFORMATION ON PUBLIC HEARINGS

Thank you  
Beverly Belrose

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

## PLANNING COMMISSION HEARING

11-12-07

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) KATHLEEN WATKINS

☐ I am in favor

Address 2215 Post Rd. #2094 Austin Tx 78704

☒ (Estoy de acuerdo)

☒ I object

☒ (No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:



## PLANNING COMMISSION HEARING

**DATE:** November 13, 2007

**TIME:** 6:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

*Agenda Item*

## CITY COUNCIL HEARING

**DATE:** November 29, 2007

**TIME:** 4:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

**File #** C14-2007-0220

**Planning Commission Hearing Date:** November 13, 2007

**Name (please print)**

Mark J. Iannini

**Address**

1008 Daniel Drive

☒ I am in favor

(Estoy de acuerdo)

☐ I object

(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print)

Timothy M. Lee / Scott F. Creomer

☒ I am in favor  
(Estoy de acuerdo)

Address

419 W. Johanna Street.

☐ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

November 6, 2007

Neighborhood Planning and Zoning Department  
P.O. Box 1088  
C/O Melissa Larson  
Austin, TX 78767-8835

Dear Ms. Larson:

I am writing to express my and my partner's, Scott F. Creamer, support for the proposed vertical mixed use zoning application for the Bouldin Creek Neighborhood currently being reviewed by the Austin Neighborhood Planning and Zoning Department. I lived in South Austin fifteen years ago and traveled through the Bouldin Creek Neighborhood on a daily basis. At the time there were many run down and ill maintained properties. I left Austin and returned with my partner in 2002, at which time we purchased our current residence at 419 West Johanna Street.

There has been a considerable amount of change in the last five years and almost all of it has been for the better. While there is more traffic to contend with, it hardly outweighs the benefits of a lower crime rate, increased services, dining and shopping opportunities for the neighborhood residents. However, even with the improvements our neighborhood has seen, there still exist several properties through out the neighborhood, along South 1<sup>st</sup> Street and South Congress that remain run down and/or non productive because the current zoning makes it cost prohibitive for the owner to develop and/or sell the property. These underdeveloped properties are a major obstacle keeping the Bouldin Creek neighborhood from being one of the City's shining stars.

In my opinion, the Bouldin Creek Neighborhood Association, of which I was formerly a member, represents the view of only a minority of the neighborhood's residents. My experience with the Association leads me to believe the officers have as their primary interest fighting growth in all forms. My partner and I welcome and encourage Austin's larger initiative to increase the residential density in central Austin, which will require revising current zoning in all the neighborhoods adjacent to downtown. My partner and I encourage the Neighborhood Planning and Zoning Department to recognize the importance of increasing the density in the Bouldin Creek neighborhood as vital to the smart growth of central Austin.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy M. Lee', with a long horizontal flourish extending to the left.

Timothy M. Lee

48 East Avenue  
Austin, TX 78701

512-474-6061 v  
512-474-1605 f

[www.TMLlegal.com](http://www.TMLlegal.com)

## PLANNING COMMISSION HEARING

DATE: November 13, 2007

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: November 29, 2007

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the proposed application of Vertical Mixed Use (VMU) regulations in the Bouldin Creek Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Melissa Laursen, Austin, TX 78767-8835.

File # C14-2007-0220

Planning Commission Hearing Date: November 13, 2007

Name (please print) RENEE ABDALLAH

☒ I am in favor  
(Estoy de acuerdo)

Address 5223 GROUSE RUN DRIVE  
STOCKTON, CA. 95207

☐ I object  
(No estoy de acuerdo)

Austin property owner 10 units at Oak Knoll Condos 620 S. First St.

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways: